

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Pedro RIVERA-CRUZ

Case: 2:24-mj-30098

Assigned To : Unassigned

Case No. Assign. Date : 3/13/2024

CMP: USA v RIVERA-CRUZ (MAW)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 18, 2024 in the county of St. Clair in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Title 8 U.S.C. Sec. 1326(a),(b)(1)

Offense Description


Illegal Reentry After Removal, Prior Felony Conviction

This criminal complaint is based on these facts:

On or about February 18, 2024, in the Eastern District of Michigan, Southern Division, Pedro RIVERA-CRUZ, a citizen and national of Mexico, who was previously convicted of a felony, was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about April 15, 2014 and not having received the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security, to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), (b)(1).

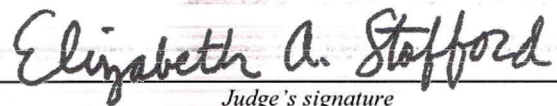
☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: March 13, 2024City and state: Detroit, Michigan
Complainant's signature

Craig Hunter, Deportation Officer, ICE

Printed name and title


Judge's signature

Elizabeth A. Stafford, United States Magistrate Judge

Printed name and title

AFFIDAVIT

I, Craig Hunter, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with Immigration and Customs Enforcement (ICE) of the United States Department of Homeland Security, having served with ICE since January 2022. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers and record checks of law enforcement databases. I have also reviewed relevant immigration records and system automated data relating to Pedro RIVERA-CRUZ, which reveal the following:

2. The information set forth below is for the limited purpose of establishing probable cause. Therefore, this affidavit does not necessarily contain all the information collected during my investigation.

3. RIVERA-CRUZ is a thirty-eight-year-old citizen and native of Mexico who last entered the United States on an unknown date, at an unknown location, without inspection by the U.S. Department of Homeland Security.

4. On or about October 9, 2000, RIVERA-CRUZ was encountered by the U.S. Border Patrol in Arizona and granted a voluntary return to Mexico.

6. On or about October 12, 2000, RIVERA-CRUZ was encountered by the U.S. Border Patrol in Arizona and granted a voluntary return to Mexico.

7. On or about March 3, 2002, RIVERA-CRUZ was arrested by the Canton, MI Police Department for a Traffic Offense. On or about April 4, 2002, RIVERA-CRUZ was convicted of Operating – License Suspended, Revoked, or Denied and sentenced to a fine of \$300.

8. On or about August 26, 2002, RIVERA-CRUZ was arrested by the Wayne, MI Police Department for a Traffic Offense. On or about November 27, 2002, RIVERA-CRUZ was convicted of Operating – License Suspended, Revoked, or Denied and was sentenced to a fine of \$400- or 20-days' confinement.

9. On or about September 11, 2004, RIVERA-CRUZ was arrested by the Westland, MI Police Department for Stolen Property, Obstructing Police, and Receiving and Concealing Stolen Property. On or about November 17, 2004, RIVERA-CRUZ

was convicted of Receiving and Concealing Stolen Property and sentenced to a fine of \$835, 12 months' probation, and ten days in jail.

10. On or about February 13, 2005, RIVERA-CRUZ was arrested by the Westland, MI Police Department for a Traffic Offense. On or about February 15, 2005, RIVERA-CRUZ was convicted of Operating – License Suspended, Revoked, or Denied and was sentenced to a fine of \$595 and 20 days in jail.

11. On or about February 16, 2005, RIVERA-CRUZ was encountered by Detroit ICE HSI Agents and issued a Notice to Appear in Immigration Court.

12. On or about September 6, 2005, RIVERA-CRUZ was ordered removed *in absentia* by an Immigration Judge in Detroit, MI.

13. On or about October 27, 2005, a Warrant for Removal/Deportation was issued for RIVERA-CRUZ.

14. On or about March 24, 2006, RIVERA-CRUZ was arrested by the Westland, MI Police Department for Assault – Excluding Sexual. On or about April 5, 2006, RIVERA-CRUZ was convicted of Domestic Violence and sentenced to a fine of \$546, 12 months' probation and 45 days in jail.

15. On or about April 28, 2006, RIVERA-CRUZ was picked up at the Wayne County Jail on an ICE detainer. On or about May 1, 2006, RIVERA-CRUZ was removed to Mexico from Laredo, TX.

16. On or about November 10, 2006, RIVERA-CRUZ was arrested by the Westland, MI Police Department for a Traffic Offense. Westland Police then contacted the Detroit ICE Office regarding the arrest. On or about the same date, RIVERA-CRUZ was released into ICE custody.

17. On or about January 28, 2007, RIVERA-CRUZ was removed to Mexico from Brownsville, TX.

18. On or about March 27, 2010, RIVERA-CRUZ was arrested by the Canton, MI Police Department for a Traffic Offense. The Detroit ICE Office filed an ICE detainer with the Canton Police Department. On or about March 30, 2010, RIVERA-CRUZ was released into ICE custody.

19. On or about April 6, 2010, RIVERA-CRUZ was removed to Mexico from Laredo, TX.

20. On or about April 24, 2013, RIVERA-CRUZ was arrested by Detroit ICE Officers in Westland, MI. During the attempted arrest, RIVERA-CRUZ attempted to flee on foot, and later resisted arrest by the ICE Agents.

21. On or about January 23, 2014, RIVERA-CRUZ was convicted of Reentry of a Removed Alien in violation of 8 U.S.C. §1326(a) and Assaulting, Resisting, or Impeding Certain Officers, in violation of 18 U.S.C. §111(a)(1). He was sentenced to 13 months in prison, each count, to be served concurrently.

22. On or about April 15, 2014, RIVERA-CRUZ was removed to Mexico from Laredo, TX.

23. On or about February 18, 2024, the Clay Township, MI Police Department conducted a traffic stop on a Black Ford F-150 towing a trailer. Two occupants got out of the vehicle. While talking to the driver, the Officer asked if they were in the U.S. illegally. The driver stated "yes". When the Officer requested the occupants to come to his police cruiser to investigate the matter further, the driver fled on foot into the nearby woods. The passenger, who was the son of the driver, identified the driver as Pedro RIVERA-CRUZ. The passenger, who was identified as Michael Santiago Rivera, provided an address of XXXX S. Middlebelt Rd. Westland, MI 48186 and stated that RIVERA-CRUZ drives the Black Ford F-150 all the time. The vehicle was impounded due to lack of insurance. During a search for RIVERA-CRUZ, only an abandoned cell phone was found.

24. On or about February 28, 2024, immigration record checks indicated that during the prior April 24, 2013, encounter with RIVERA-CRUZ, he stated that his son's name was Michael Santiago Rivera.


25. On or about March 11, 2024, a U.S. Border Patrol BOLO was provided to Detroit ICE Officers indicating that an inspection of the abandoned cell phone revealed a picture of an individual that matches the description of RIVERA-CRUZ. Additional checks of the phone showed 241 recent locations between February 1, 2024, and February 18, 2024. 171 of those recent locations were located at XXXX S. Middlebelt Rd. Westland, MI 48186.

26. On or about February 29, 2024, Detroit ICE Officers conducted surveillance at XXXX S. Middlebelt Rd. Westland, MI 48186. A Black Ford F-150, matching the

description of the vehicle RIVERA-CRUZ was previously driving at the time of the traffic stop, was observed parked in the rear of the home.

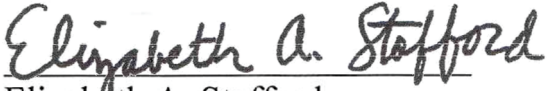
27. A review of immigration records (A #XXX XXX 171) for RIVERA-CRUZ and queries in U.S. Department of Homeland Security databases reveal that no record exists of RIVERA-CRUZ obtaining permission from the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States following his removal from the United States on or about April 15, 2014.

28. Based on the above information, I believe there is probable cause to conclude that RIVERA-CRUZ, is a citizen and national of Mexico, who is present in the United States after being previously deported and removal, and having previously been convicted of a felony offense, without the express permission from the Attorney General of the United States or from the Secretary of the Department of Homeland Security in violation of Title 8, United States Code, Section 1326(a), (b)(1).



Craig Hunter
Deportation Officer
U.S. Immigration and Customs Enforcement
333 Mount Elliott
Detroit, MI 48207

Subscribed and sworn to before me and signed in my presence and/or by reliable electronic means.



Elizabeth A. Stafford
United States Magistrate Judge